

**Amendment in the Nature of a Substitute
to H.R. 3801
Offered by Mr. Castle
(Chairman's Mark)**

Strike all after the enacting clause and insert the
following:

1 **TITLE I—EDUCATION SCIENCES**
2 **REFORM**

3 **SEC. 101. SHORT TITLE.**

4 This title may be cited as the “Education Sciences
5 Reform Act of 2002”.

6 **SEC. 102. TABLE OF CONTENTS.**

7 The table of contents for this title is as follows:

Sec. 101. Short title.
Sec. 102. Table of contents.

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Sec. 112. Organization.
Sec. 113. Functions.
Sec. 114. Delegation.
Sec. 115. Office of the Director.
Sec. 116. Priorities.
Sec. 117. National Board for Education Sciences.
Sec. 118. Commissioners of the National Education Centers.
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PART B—NATIONAL CENTER FOR EDUCATION RESEARCH

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PART D—NATIONAL CENTER FOR EDUCATION EVALUATION

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PART E—GENERAL PROVISIONS

- Sec. 181. Definitions.
- Sec. 182. Interagency data sources and formats.
- Sec. 183. Prohibitions.
- Sec. 184. Confidentiality.
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- Sec. 186. Performance management.
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- Sec. 188. Vacancies.
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1 **PART A—ACADEMY OF EDUCATION**
2 **SCIENCES**

3 SEC. 111. ESTABLISHMENT.

(a) ESTABLISHMENT.—There shall be in the Department an Academy of Education Sciences (hereafter in this title referred to as the “Academy”), to be administered by a Director (as provided in section 115) and a board of directors (as provided in section 117).



1 (b) MISSION.—The mission of the Academy is to pro-
2 vide national leadership in expanding fundamental knowl-
3 edge and understanding of education, in order to provide
4 parents, educators, students, researchers, policymakers,
5 and the general public with reliable information about the
6 condition and progress of education in the United States,
7 educational practices that support learning and improve
8 academic achievement for all students, and the effective-
9 ness of Federal and other education programs. In carrying
10 out this mission, the Academy shall conduct research,
11 evaluation, statistics, and dissemination activities sup-
12 ported by Federal funds through the Academy and ensure
13 that such activities—

14 (1) conform to high standards of quality, integ-
15 rity, and accuracy; and

16 (2) are objective, secular, neutral, and nonideo-
17 logical and are free of partisan and political influ-
18 ence and racial, cultural, gender, or regional bias.

19 **SEC. 112. ORGANIZATION.**

20 The Academy consists of the following:

21 (1) The Office of the Director (as set out in
22 section 115).

23 (2) The National Board for Education Sciences
24 (as set out in section 117).



1 (3) The Knowledge Utilization Office (as set
2 out in section 119).

3 (4) The National Education Centers, which
4 include—

5 (A) the National Center for Education Re-
6 search (as set out in part B);

7 (B) the National Center for Education
8 Statistics (as set out in part C); and

9 (C) the National Center for Education
10 Evaluation (as set out in part D).

11 **SEC. 113. FUNCTIONS.**

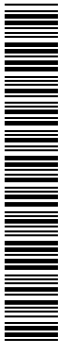
12 The Academy, directly or through grants, contracts,
13 or cooperative agreements, shall—

14 (1) conduct and support scientifically valid re-
15 search activities, including basic and applied re-
16 search, statistics activities, scientifically valid edu-
17 cation evaluation, development, and dissemination;

18 (2) disseminate the findings and results of sci-
19 entifically valid research in education;

20 (3) promote the application of knowledge gained
21 from scientifically valid research activities;

22 (4) strengthen the national capacity to conduct
23 scientifically valid research in education; and



1 (5) promote the coordination of scientifically
2 valid research in education within the Department
3 and the Federal Government.

4 **SEC. 114. DELEGATION.**

5 (a) DELEGATION OF AUTHORITY.—Notwithstanding
6 section 412 of the Department of Education Organization
7 Act (20 U.S.C. 3472), the Secretary shall delegate to the
8 Director all functions for carrying out this title.

9 (b) OTHER ACTIVITIES.—The Secretary may assign
10 the Academy responsibility for administering other activi-
11 ties, if those activities are consistent with—

12 (1) the Academy's priorities, as approved by the
13 Board under section 116; or

14 (2) the Academy's mission, if the activities are
15 not consistent with such priorities.

16 **SEC. 115. OFFICE OF THE DIRECTOR.**

17 (a) APPOINTMENT.—The President, with the advice
18 and consent of the Senate, shall appoint the Director of
19 the Academy.

20 (b) TERM.—

21 (1) IN GENERAL.—The Director shall serve for
22 a term of 6 years, beginning on the date of con-
23 firmation by the Senate, but may be removed by the
24 President prior to the expiration of that term.



1 (2) FIRST DIRECTOR.—The President, without
2 the advice and consent of the Senate, may appoint
3 the Assistant Secretary for the Office of Educational
4 Research and Improvement (as such office existed
5 on the day before the date of the enactment of this
6 Act) to serve as the Director of the Academy for a
7 term that ends on July 1, 2007. The President, with
8 the advice and consent of the Senate, shall appoint
9 a Director under subsection (a) in the case of a va-
10 cancy prior to the expiration of the first Director's
11 term.

12 (c) PAY.—The Director shall receive the rate of basic
13 pay for level III of the Executive Schedule.

14 (d) QUALIFICATIONS.—The Director shall be selected
15 from individuals who are highly qualified authorities in the
16 fields of scientifically valid research, statistics, or evalua-
17 tion in education, as well as management within such
18 areas, and have a demonstrated capacity for sustained
19 productivity and leadership in these areas.

20 (e) ADMINISTRATION.—The Director shall—

21 (1) administer and oversee the Academy in ac-
22 cordance with this title;

23 (2) oversee and coordinate the activities carried
24 out under the Academy, including the activities of
25 the National Education Centers; and



1 (3) coordinate budgets and operating plans sub-
2 mitted by the Commissioners of each of the National
3 Education Centers.

4 (f) DUTIES.—The duties of the Director shall be the
5 following:

6 (1) To propose to the Board priorities for the
7 Academy in accordance with section 116.

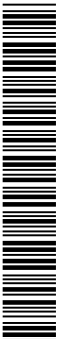
8 (2) To ensure the methodology applied in con-
9 ducting research, evaluation, and statistical analysis
10 is consistent with the standards for such activities
11 under this title.

12 (3) To coordinate education research and re-
13 lated activities carried out by the Academy with such
14 research and activities carried out by other agencies
15 within the Department and the Federal Government.

16 (4) To advise the Secretary on research, evalua-
17 tion, and statistics activities relevant to the activities
18 of the Department.

19 (5) To establish necessary procedures for tech-
20 nical and scientific peer review of the activities of
21 the Academy, consistent with section 117(b)(3).

22 (6) To ensure that all participants in research
23 conducted or supported by the Academy are afforded
24 their privacy rights and other relevant protections as
25 research subjects, in accordance with section 184 of



1 this title and sections 444 and 445 of the General
2 Education Provisions Act (20 U.S.C. 1232g, 1232h).

3 (7) To ensure that activities conducted or sup-
4 ported by the Academy are objective, secular, neu-
5 tral, and nonideological and are free of partisan and
6 political influence and racial, cultural, gender, or re-
7 gional bias.

8 (8) To carry out and support other activities
9 consistent with the priorities and mission of the
10 Academy.

11 (9) To undertake initiatives and programs to
12 increase the participation of researchers and institu-
13 tions that have been historically underutilized in
14 Federal educational research activities in the activi-
15 ties of the Academy, including historically black col-
16 leges and universities and other institutions of high-
17 er education with large numbers of minority stu-
18 dents.

19 (g) PEER-REVIEW GROUPS.—The Director may es-
20 tablish technical and scientific peer-review groups and sci-
21 entific program advisory committees that the Director de-
22 termines are necessary to carry out the requirements of
23 this title. The Director shall appoint such personnel, ex-
24 cept that officers and employees of the United States shall
25 comprise no more than one-fourth of the members of any



1 such group and shall not receive additional compensation
2 for their service as members of such a group. The Federal
3 Advisory Committee Act (5 U.S.C. App.) shall not apply
4 to a peer-review group established under this subsection.

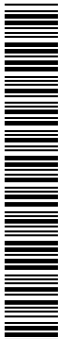
5 **SEC. 116. PRIORITIES.**

6 (a) PROPOSAL.—The Director shall propose to the
7 Board priorities for the Academy on topics that are fo-
8 cused on understanding and solving particular education
9 problems and issues, including those associated with the
10 goals and requirements established in the Elementary and
11 Secondary Education Act of 1965 (20 U.S.C. 6301 et
12 seq.).

13 (b) APPROVAL.—The Board (established under sec-
14 tion 117) shall approve or disapprove the priorities for the
15 Academy proposed by the Director, including any nec-
16 essary revision of those priorities. The Board shall trans-
17 mit any priorities so approved to the appropriate congres-
18 sional committees.

19 (c) CONSISTENCY.—The Board shall ensure that pri-
20 orities of the Academy and National Education Centers
21 are consistent with the mission of the Academy. Such ap-
22 proved priorities shall be transmitted to the appropriate
23 congressional committees.

24 (d) PUBLIC AVAILABILITY AND COMMENT.—Before
25 submitting to the Board proposed priorities for the Acad-



1 emy, the Director shall make available to the public for
2 comment (including by means of the Internet and through
3 publishing such priorities in the Federal Register) such
4 priorities, along with the Academy's plan for addressing
5 those priorities. The Director shall provide to the Board
6 a copy of each such comment submitted.

7 **SEC. 117. NATIONAL BOARD FOR EDUCATION SCIENCES.**

8 (a) ESTABLISHMENT.—The Academy shall have a
9 board of directors, which shall be known as the National
10 Board for Education Sciences (referred to in this title as
11 the “Board”).

12 (b) DUTIES.—The duties of the Board shall be the
13 following:

14 (1) To advise the Director on the policies of the
15 Academy.

16 (2) To consider and approve priorities under
17 section 116 to guide the work of the Academy.

18 (3) To review and approve procedures for tech-
19 nical and scientific peer review of the activities of
20 the Academy.

21 (4) To advise the Director on the development
22 of activities to be supported by the Academy, includ-
23 ing the general areas of research to be carried out
24 by the National Center for Education Research.



1 (5) To present to the Director such rec-
2 ommendations as it may find appropriate for—

3 (A) the strengthening of education re-
4 search; and

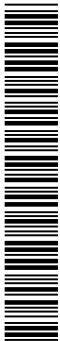
5 (B) the funding of the Academy.

6 (6) To advise the Director on the funding of
7 applications for grants, contracts, and cooperative
8 agreements for research, after the completion of peer
9 review.

10 (7) To review and regularly evaluate the work
11 of the Academy, to ensure that scientifically valid re-
12 search, evaluation, and statistical analysis is con-
13 sistent with the standards for such activities under
14 this title.

15 (8) To advise the Director on ensuring that ac-
16 tivities conducted or supported by the Academy are
17 objective, secular, neutral, and nonideological and
18 are free of partisan and political influence and ra-
19 cial, cultural, gender, or regional bias.

20 (9) To solicit advice and information from those
21 in the educational field, particularly practitioners
22 and researchers, to assist the Director in identifying
23 topics that require long-term, sustained, systematic,
24 programmatic, and integrated research efforts, in-
25 cluding knowledge utilization and dissemination of



1 research, consistent with the priorities and mission
2 of the Academy.

3 (10) To review and advise the Director on op-
4 portunities for the participation in, and the advance-
5 ment of, women, minorities, and persons with dis-
6 abilities in education research, statistics, and evalua-
7 tion activities of the Academy.

8 (11) To recommend to the Director ways to en-
9 hance strategic partnerships and collaborative efforts
10 among other Federal and State research agencies.

11 (c) COMPOSITION.—The Board shall be composed as
12 follows:

13 (1) VOTING MEMBERS.—Fifteen voting mem-
14 bers appointed by the President, with the advice and
15 consent of the Senate.

16 (2) NONVOTING EX OFFICIO MEMBERS.—The
17 following nonvoting ex officio members:

18 (A) The Director of the Academy of Edu-
19 cation Sciences.

20 (B) Each of the commissioners of the Na-
21 tional Education Centers.

22 (C) The Director of the National Institute
23 of Child Health and Human Development.

24 (D) The Director of the Census.

25 (E) The Commissioner of Labor Statistics.



1 (F) The President of the National Acad-
2 emy of Sciences.

3 (3) APPOINTED MEMBERSHIP.—

4 (A) QUALIFICATIONS.—Members ap-
5 pointed under paragraph (1) shall include indi-
6 viduals from each of the following groups:

7 (i) Educators, including classroom
8 teachers, principals, and other school ad-
9 ministrators.

10 (ii) Parents.

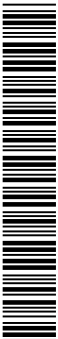
11 (iii) Business leaders.

12 (iv) Highly qualified experts in cog-
13 nitive psychology, statistics, evaluation, re-
14 search, and psychometrics.

15 (B) TERMS.—Each member appointed
16 under paragraph (1) shall serve for a term of
17 4 years, except that—

18 (i) the terms of the initial members
19 appointed under such paragraph shall (as
20 determined by a random selection process
21 at the time of appointment) be for stag-
22 gered terms of—

23 (I) 4 years for each of five mem-
24 bers;



1 (II) 3 years for each of five mem-
2 bers; and

3 (III) 2 years for each of five
4 members; and

5 (ii) no such member shall serve for
6 more than two consecutive terms.

7 (C) EXTENSION OF SERVICE.—A member
8 of the Board may serve after the expiration of
9 the member's term until a successor has been
10 appointed and confirmed, but for no longer
11 than 1 additional year.

12 (4) CHAIR.—The Board shall elect a chair-
13 person from among the members of the Board.

14 (5) COMPENSATION.—Members of the Board
15 shall serve without pay for such service. Members of
16 the Board who are officers or employees of the
17 United States may not receive additional pay, allow-
18 ances, or benefits by reason of their service on the
19 Board.

20 (6) TRAVEL EXPENSES.—The members of the
21 Board shall receive travel expenses, including per
22 diem in lieu of subsistence, in accordance with sub-
23 chapter I of chapter 57 of title 5, United States
24 Code.



1 (7) EXECUTIVE DIRECTOR.—The Board shall
2 have an Executive Director who shall be appointed
3 by the Board.

4 (8) MEETINGS.—The Board shall meet not less
5 than four times each year. The Board shall hold ad-
6 ditional meetings at the call of the chairperson or
7 upon the written request of at least six voting mem-
8 bers of the Board.

9 (9) QUORUM.—A majority of the voting mem-
10 bers of the Board shall constitute a quorum.

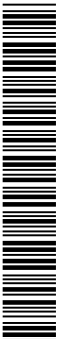
11 (d) STANDING COMMITTEES.—

12 (1) ESTABLISHMENT.—The Board may estab-
13 lish standing committees—

14 (A) to each serve one of the National Edu-
15 cation Centers; and

16 (B) to advise, assist, consult with, and
17 make recommendations to the Director and the
18 Commissioner of the appropriate National Edu-
19 cation Centers.

20 (2) MEMBERSHIP.—Each standing committee
21 shall include a majority of voting members of the
22 Board whose expertise is needed for the functioning
23 of the committee. The membership of each standing
24 committee—



1 (A) shall include, as appropriate, highly
2 qualified experts in cognitive psychology, statis-
3 tics, evaluation, research, and psychometrics;

4 (B) may include ex officio members of the
5 Board as well as experts who are not members
6 of the Board, but who have been recommended
7 by the Commissioners of each Center and ap-
8 proved by the Board; and

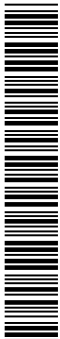
9 (C) may include policymakers and expert
10 practitioners with knowledge of, and experience
11 using, the results of research, evaluation, and
12 statistics.

13 (3) DUTIES.—Each standing committee shall—

14 (A) at the discretion of the Board or the
15 standing committee, review and comment on
16 any grant, contract, or cooperative agreement
17 entered into (or proposed to be entered into) by
18 the applicable National Education Center;

19 (B) prepare for, and report to, the Board
20 an annual evaluation of the operations of the
21 applicable National Education Center;

22 (C) review and comment on the relevant
23 Commissioner's plan for activities to be under-
24 taken by the applicable National Education
25 Center for each fiscal year; and



1 (D) periodically report to the Board re-
2 garding the activities of the committee.

3 (e) ANNUAL REPORT.—The Board shall submit to
4 the Director, the Secretary, and the appropriate congres-
5 sional committees, not later than July 1 of each year, a
6 report that assesses the effectiveness of the Academy in
7 carrying out its priorities and mission, especially as they
8 relate to carrying out scientifically valid research, con-
9 ducting unbiased evaluations, and collecting and reporting
10 accurate education statistics; and

11 (f) RECOMMENDATIONS.—The Board shall submit to
12 the Director, the Secretary, and the appropriate congres-
13 sional committees a report that includes any recommenda-
14 tions regarding any actions that could be taken to enhance
15 the ability of the Academy to carry out its priorities and
16 mission. The Board shall submit an interim report not
17 later than 3 years after the date of enactment of this title
18 and a final report not later than 5 years after such date
19 of enactment.

20 **SEC. 118. COMMISSIONERS OF THE NATIONAL EDUCATION**
21 **CENTERS.**

22 (a) APPOINTMENT.—The National Education Cen-
23 ters shall each be headed by a Commissioner appointed
24 by the Director. In appointing Commissioners, the Direc-
25 tor shall seek to promote continuity in leadership of the



1 National Education Centers and shall consider individuals
2 recommended by the Board, acting in consultation with
3 the Director.

4 (b) PAY.—The Commissioners shall each receive the
5 rate of basic pay for level IV of the Executive Schedule.

6 (c) QUALIFICATIONS.—Each Commissioner shall be
7 highly qualified in the field of education research, statis-
8 tics, or evaluation.

9 (d) SERVICE AND REMOVAL.—Each Commissioner
10 shall report to the Director and may be removed by the
11 Director.

12 **SEC. 119. KNOWLEDGE UTILIZATION OFFICE.**

13 (a) ESTABLISHMENT.—There is established within
14 the Academy a Knowledge Utilization Office.

15 (b) DUTIES.—The Knowledge Utilization Office
16 shall—

17 (1) disseminate information on scientifically
18 valid research on education to the public, the media,
19 voluntary organizations, and other constituencies, es-
20 pecially with respect to information relating to—

21 (A) the core academic areas of reading,
22 mathematics, and science;

23 (B) closing the achievement gap between
24 high-performing students and low-performing
25 students;



1 (C) educational practices that improve aca-
2 demic achievement and promote learning; and

3 (D) education technology, including soft-
4 ware;

5 (2) manage the National Library of Education
6 described in subsection (d), and other sources of dig-
7 ital information on education research;

8 (3) make such information accessible in a user-
9 friendly, timely, and efficient manner (including
10 through use of a searchable web-based online data-
11 base) to schools, educators, parents, administrators,
12 policymakers, researchers, entities responsible for
13 carrying out technical assistance through the De-
14 partment, and the general public.

15 (c) ADDITIONAL DUTIES.—In carrying out sub-
16 section (b), the Knowledge Utilization Office shall—

17 (1) ensure that information disseminated under
18 this section is completed and provided in a cost-ef-
19 fective, nonduplicative manner (which may include
20 through the continuation of individual clearing-
21 houses authorized under the Educational Research,
22 Development, Dissemination, and Improvement Act
23 of 1994 (title IX of the Goals 2000: Educate Amer-
24 ica Act; 20 U.S.C. 6001 et seq.) (as such Act existed



1 on the day before the date of enactment of this
2 title));

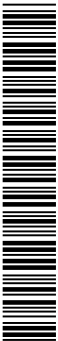
3 (2) prominently describe the type of scientific
4 evidence that is used to support the findings that
5 are disseminated; and

6 (3) clearly explain the scientifically appropriate
7 and inappropriate uses of—

8 (A) the findings that are disseminated; and

9 (B) the types of evidence used to support
10 those findings.

11 (d) NATIONAL LIBRARY OF EDUCATION.—There is
12 established within the Knowledge Utilization Office a Na-
13 tional Library of Education that shall collect and archive
14 information, including products and publications devel-
15 oped through, or supported by, the Academy, and other
16 relevant and useful education-related research informa-
17 tion, projects, and publications that are consistent with
18 scientifically valid research and are developed by the De-
19 partment, other Federal agencies, or entities (including
20 entities supported under title II).



1 **PART B—NATIONAL CENTER FOR**
2 **EDUCATION RESEARCH**

3 **SEC. 131. ESTABLISHMENT.**

4 (a) ESTABLISHMENT.—There is established in the
5 Academy a National Center for Education Research (in
6 this part referred to as the “Research Center”).

7 (b) MISSION.—The mission of the Research Center
8 is to provide national leadership in—

9 (1) expanding fundamental knowledge and un-
10 derstanding of education, particularly to improve the
11 teaching and learning of reading, writing, mathe-
12 matics, science, and other academic subjects;

13 (2) using accepted practices of scientific inquiry
14 to obtain knowledge, comprehension, or under-
15 standing of the validity of educational theories, prac-
16 tices, or conditions; and

17 (3) promoting scientifically valid research find-
18 ings that can provide the basis for improving aca-
19 demic instruction and learning in the classroom.

20 **SEC. 132. COMMISSIONER FOR EDUCATION RESEARCH.**

21 The Research Center shall be headed by a Commis-
22 sioner for Education Research (in this part referred to as
23 the “Research Commissioner”) who shall—

24 (1) have substantial knowledge of the activities
25 of the Research Center, including a high level of ex-



1 pertise in the field of research and research manage-
2 ment; and

3 (2) be appointed for a term of 6 years.

4 **SEC. 133. DUTIES.**

5 (a) GENERAL DUTIES.—The Research Commissioner
6 shall—

7 (1) maintain published peer review standards
8 and standards for the conduct and evaluation of all
9 research and development carried out under the aus-
10 pices of the Research Center pursuant to the provi-
11 sions of this part;

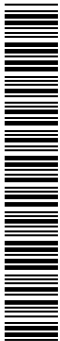
12 (2) develop, in consultation with the Director, a
13 research plan that—

14 (A) is consistent with the priorities and
15 mission of the Academy and the mission or the
16 Research Center and is based upon the activi-
17 ties described in paragraph (3); and

18 (B) shall be carried out pursuant to para-
19 graph (4), and as appropriate, be updated and
20 modified;

21 (3) carry out specific, long-term research activi-
22 ties consistent with the priorities and mission of the
23 Academy;

24 (4) award contracts, grants, or cooperative
25 agreements through the Director and in accordance



1 with section 135(b), at an amount and for a length
2 of time determined to be appropriate to carry out
3 scientifically valid research that—

4 (A) uses objective and measurable indica-
5 tors, including timelines, that are used to assess
6 the progress and results of such research;

7 (B) meets the procedures for peer review
8 established by the Director under section 115(e)
9 and the standards of research described in sec-
10 tion 135; and

11 (C) includes both basic research and ap-
12 plied research, which shall include research con-
13 ducted through field-initiated studies and may
14 include ongoing research initiatives;

15 (5) promote the use of scientifically valid re-
16 search within the Federal Government, including ac-
17 tive participation in interagency research initiatives;

18 (6) ensure that research conducted by the Re-
19 search Center is applicable to education practice and
20 policy;

21 (7) synthesize and disseminate, through the
22 Knowledge Utilization Office, the findings and re-
23 sults of education research conducted or supported
24 by the Research Center; and



1 (8) prepare and submit an annual report, as de-
2 scribed in section 134, which shall be made available
3 to the public through such means as the Internet.

4 (b) ELIGIBILITY.—The Research Center may award
5 a contract, grant, or cooperative agreement under sub-
6 section (a)(4) only if the recipient of the contract, grant,
7 or cooperative agreement is an organization or institution
8 (whether public or private, for-profit or nonprofit), an in-
9 stitution of higher education, a consortium thereof, or an
10 individual (including national research and development
11 centers and regional education laboratories for research,
12 development, dissemination, and technical assistance (as
13 such centers and laboratories existed on the day before
14 the date of enactment of this title)) with the ability or
15 capacity to carry out scientifically valid research.

16 (c) EVALUATIVE SUMMARIES OF RESEARCH PRIOR-
17 ITIES.—In addition to the duties described in subsection
18 (a), the Research Center shall conduct an evaluative sum-
19 mary that—

20 (1) shall be completed not later than 1 year
21 after the date of enactment of this title and annually
22 thereafter; and

23 (2) shall be submitted to the Director and the
24 Board to provide assistance on developing and im-



1 plementing the research plan described in subsection
2 (a)(3).

3 (d) EVALUATIVE SUMMARY.—Each evaluative sum-
4 mary conducted under subsection (c) shall—

5 (1) include a detailed description of the findings
6 of the main research and development activities of
7 the Research Center (and the national research and
8 development centers and regional education labora-
9 tories for research, development, dissemination, and
10 technical assistance (as such centers and labora-
11 tories existed on the day before the date of enact-
12 ment of this title));

13 (2) describe how such findings are consistent
14 with scientifically valid research;

15 (3) describe the implications of such findings
16 for educational practice and school reform;

17 (4) describe any development, reform, and other
18 assistance activities that have utilized such findings
19 and the effects of such efforts;

20 (5) include a classification of all major research
21 conducted within each priority area, including all re-
22 search conducted using Federal funds in relation to
23 scientifically valid research; and

24 (6) include an analysis of the major program
25 activities of the Research Center in the categories of



1 basic research, applied research, and development,
2 and of whether such activities meet scientifically
3 based research standards.

4 (e) TRANSITION.—

5 (1) INITIAL EXTENSION.—The Research Cen-
6 ter, through the Director, may extend any coopera-
7 tive agreement, grant, or contract made to a na-
8 tional research and development center (as such cen-
9 ter existed on the day before the date of enactment
10 of this title), for a period of not more than 2 years.

11 (2) SUBSEQUENT EXTENSION.—After the expi-
12 ration of the 2-year period described in paragraph
13 (1), the Research Center, through the Director and
14 based upon the research plan developed by the Re-
15 search Center under subsection (a)(3), the priorities
16 of the national research and development center, the
17 quality of research conducted by the national re-
18 search and development center, and the capacity of
19 the national research and development center to
20 meet the standards of scientifically valid research,
21 may—

22 (A) extend or renegotiate such grant, con-
23 tract, or cooperative agreement with the na-
24 tional research and development center for a
25 period not to extend beyond fiscal year 2005; or



1 (B) terminate or decline to renew the
2 grant, contract, or cooperative agreement.

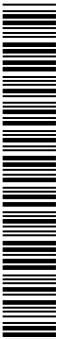
3 **SEC. 134. ANNUAL REPORT.**

4 The Research Commissioner shall annually transmit
5 to the President, the Board, and the appropriate congressional committees and make widely available to the public
6 (including by means of the Internet), a report containing
7 the following:

9 (1) A description of the activities carried out by
10 and through the Research Center during the prior
11 fiscal year.

12 (2) A detailed summary of each grant, contract,
13 and cooperative agreement in excess of \$100,000
14 funded during the prior fiscal year, including, at a
15 minimum, the amount, duration, recipient, purpose,
16 and goal of the award and its relationship to the priorities and mission of the Academy, the reports and
17 publications produced, and an evaluation of the activities, which shall be available in a user-friendly
18 electronic database.

21 (3) A description of how the activities of the
22 Research Center are consistent with the principles of
23 scientifically valid research and the priorities and
24 mission of the Academy.



1 (4) Such additional comments, recommenda-
2 tions, and materials as the Director considers appro-
3 prium.

4 **SEC. 135. STANDARDS FOR CONDUCT AND EVALUATION OF**
5 **RESEARCH.**

6 (a) IN GENERAL.—In carrying out this part, the Re-
7 search Commissioner, in consultation with the Director,
8 shall—

9 (1) ensure that all research conducted under
10 the direction of the Research Center follows scientif-
11 ically based research standards;

12 (2) develop such other standards as may be
13 necessary to govern the conduct and evaluation of all
14 research, development, and dissemination activities
15 carried out by the Research Center to assure that
16 such activities meet the highest standards of profes-
17 sional excellence;

18 (3) review the procedures utilized by the Na-
19 tional Institutes of Health, the National Science
20 Foundation, and other Federal departments or agen-
21 cies engaged in research and development and ac-
22 tively solicit recommendations from research organi-
23 zations and members of the general public in the de-
24 velopment of the standards described in paragraph
25 (2); and



1 (4) require research to comply with Federal
2 guidelines relating to research misconduct.

3 (b) AWARDING OF FUNDS.—In the case of research
4 that is carried out under this part through grants, con-
5 tracts, or cooperative agreements, the Research Center,
6 through the Director, at a minimum, shall—

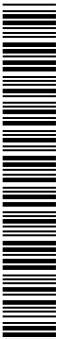
7 (1) use a process of open competition in award-
8 ing or entering into all such grants, contracts, and
9 cooperative agreements;

10 (2) use a system of peer review of highly quali-
11 fied individuals with an in-depth knowledge of the
12 subject to be investigated—

13 (A) for reviewing and evaluating all appli-
14 cations for grants and cooperative agreements
15 and bids for contracts that exceed \$100,000;
16 and

17 (B) for evaluating and assessing the per-
18 formance of all recipients of grants, cooperative
19 agreements, and contracts;

20 (3) develop the procedures to be used in evalu-
21 ating applications for grants, cooperative agree-
22 ments, and contracts and specify the criteria and
23 factors which shall be considered in making such
24 evaluations; and



1 (4) evaluate the performance of each recipient
2 of an award of a grant, contract, or cooperative
3 agreement at the conclusion of the award.

4 **PART C—NATIONAL CENTER FOR**
5 **EDUCATION STATISTICS**

6 **SEC. 151. ESTABLISHMENT.**

7 (a) ESTABLISHMENT.—There is established in the
8 Academy a National Center for Education Statistics (in
9 this part referred to as the “Statistics Center”).

10 (b) MISSION.—The mission of the Statistics Center
11 shall be—

12 (1) to collect and analyze education information
13 and statistics in a manner that meets the highest
14 methodological standards;

15 (2) to report education information and statis-
16 tics in a timely manner; and

17 (3) to collect, analyze, and report education in-
18 formation and statistics in a manner that—

19 (A) is objective, secular, neutral, and non-
20 ideological and is free of partisan and political
21 influence and racial, cultural, gender, or re-
22 gional bias; and

23 (B) is relevant and useful to practitioners,
24 researchers, policymakers, and the public.



1 **SEC. 152. COMMISSIONER FOR EDUCATION STATISTICS.**

2 The Statistics Center shall be headed by a Commis-
3 sioner for Education Statistics (in this part referred to
4 as the “Statistics Commissioner”) who shall—

5 (1) have substantial knowledge of statistical
6 methodologies and activities undertaken by the Sta-
7 tistics Center; and

8 (2) be appointed for a term of 6 years.

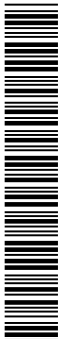
9 **SEC. 153. DUTIES.**

10 (a) GENERAL DUTIES.—The duties of the Statistics
11 Center are to collect, report, analyze, and disseminate sta-
12 tistical data related to education in the United States and
13 in other nations, including—

14 (1) collecting, acquiring, compiling (where ap-
15 propriate, on a State-by-State basis), and dissemi-
16 nating full and complete statistics on the condition
17 and progress of education, at the preschool, elemen-
18 tary, secondary, postsecondary, and adult levels in
19 the United States, including data on—

20 (A) successful State and local education re-
21 form activities that result in increased academic
22 achievement and narrowing of achievement
23 gaps;

24 (B) student achievement in at a minimum
25 the core academic areas of reading, math, and
26 science at all levels of education;



1 (C) secondary school completions, drop-
2 outs, and adult literacy and reading skills;

3 (D) educational access to, and opportunity
4 for, postsecondary education, including data on
5 financial aid to postsecondary students;

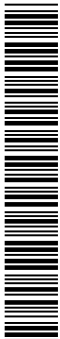
6 (E) teaching, including—

7 (i) data on professional development,
8 including a comparison of courses taken in
9 the core academic areas of reading, math,
10 and science with courses in noncore aca-
11 demic areas; and

12 (ii) the percentage of teachers who are
13 highly qualified (as such term is defined in
14 section 9101 of the Elementary and Sec-
15 ondary Education Act of 1965 (20 U.S.C.
16 7801)) in each State and, where feasible,
17 in each local educational agency and
18 school;

19 (F) instruction, the conditions of the edu-
20 cation workplace, and the supply of, and de-
21 mand for, teachers;

22 (G) the incidence, frequency, seriousness,
23 and nature of violence affecting students, school
24 personnel, and other individuals participating in



1 school activities, as well as other indices of
2 school safety including information regarding—

3 (i) the relationship between victims
4 and perpetrators;

5 (ii) demographic characteristics of the
6 victims and perpetrators; and

7 (iii) the type of weapons used in inci-
8 dents, as classified in the Uniform Crime
9 Reports of the Federal Bureau of Inves-
10 tigation;

11 (H) the financing and management of edu-
12 cation, including data on revenues and expendi-
13 tures;

14 (I) the social and economic status of chil-
15 dren, including their academic achievement; and

16 (J) the existence and use of educational
17 technology and access to the Internet in ele-
18 mentary schools and secondary schools;

19 (2) conducting and publishing reports on the
20 meaning and significance of the statistics described
21 in paragraph (1);

22 (3) collecting, analyzing, cross-tabulating, and
23 reporting, to the extent feasible, information by gen-
24 der, race, ethnicity, socioeconomic status, limited
25 English proficiency, mobility, and disability when



1 such disaggregated information would facilitate edu-
2 cational and policy decisionmaking;

3 (4) assisting public and private educational
4 agencies, organizations, and institutions in improv-
5 ing and automating statistical and data collection
6 activities;

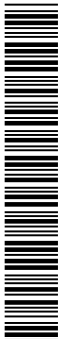
7 (5) acquiring and disseminating data on edu-
8 cational activities and student achievement (such as
9 the Third International Math and Science Study) in
10 the United States compared with foreign nations;
11 and

12 (6) conducting longitudinal and special data
13 collections necessary to report on the condition and
14 progress of education.

15 (b) TRAINING PROGRAM.—The Statistics Commis-
16 sioner may establish a program to train employees of pub-
17 lic and private educational agencies, organizations, and in-
18 stitutions in the use of standard statistical procedures and
19 concepts and may establish a fellowship program to ap-
20 point such employees as temporary fellows at the Statis-
21 tics Center in order to assist the Statistics Center in car-
22 rying out its duties.

23 **SEC. 154. PERFORMANCE OF DUTIES.**

24 (a) GRANTS, CONTRACTS, AND COOPERATIVE
25 AGREEMENTS.—In carrying out the duties under this



1 part, the Statistics Center, through the Director, may
2 award grants, enter into contracts and cooperative agree-
3 ments, and provide technical assistance.

4 (b) GATHERING INFORMATION.—

5 (1) SAMPLING.—The Statistics Center may use
6 the statistical method known as sampling (including
7 random sampling) to carry out this part.

8 (2) SOURCE OF INFORMATION.—The Statistics
9 Center may, as appropriate, use information
10 collected—

11 (A) from States, local educational agencies,
12 public and private schools, preschools, institu-
13 tions of postsecondary education, libraries, ad-
14 ministrators, teachers, students, the general
15 public, and other individuals, organizations,
16 agencies, and institutions (including informa-
17 tion collected by States and local educational
18 agencies for their own use); and

19 (B) by other offices within the Academy
20 and by other Federal departments, agencies,
21 and instrumentalities.

22 (3) COLLECTION.—The Statistics Center may—

23 (A) enter into interagency agreements for
24 the collection of statistics;



1 (B) arrange with any agency, organization,
2 or institution for the collection of statistics; and

3 (C) assign employees of the Statistics Cen-
4 ter to any such agency, organization, or institu-
5 tion to assist in such collection.

6 (4) TECHNICAL ASSISTANCE AND COORDINA-
7 TION.—In order to maximize the effectiveness of De-
8 partment efforts to serve the educational needs of
9 children and youth, the Statistics Center shall—

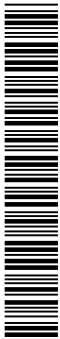
10 (A) provide technical assistance to the De-
11 partment of Education offices that gather data
12 for statistical purposes; and

13 (B) coordinate with other Department of
14 Education offices in the collection of data.

15 **SEC. 155. REPORTS.**

16 (a) PROCEDURES FOR ISSUANCE OF REPORTS.—The
17 Statistics Center, in consultation with the Director, shall
18 establish procedures, in accordance with section 187, to
19 ensure that the reports issued under this section are rel-
20 evant, of high quality, useful to customers, subject to rig-
21 orous peer review, produced in a timely fashion, and free
22 from any political influence.

23 (b) REPORT ON CONDITION AND PROGRESS OF EDU-
24 CATION.—Not later than June 1, 2002, and each suc-
25 ceeding June 1 thereafter, the Statistics Center shall, in



1 consultation with the Director and the Board, submit to
2 the President and the appropriate congressional commit-
3 tees a statistical report on the condition and progress of
4 education in the United States.

5 (c) STATISTICAL REPORTS.—The Statistics Center
6 shall issue regular and, as necessary (as determined by
7 the Statistics Commissioner in consultation with the Di-
8 rector), special statistical reports on education topics, par-
9 ticularly in the core academic areas of reading, mathe-
10 matics, and science, consistent with the priorities and mis-
11 sion of the Academy and the mission of the Statistics Cen-
12 ter.

13 **SEC. 156. DISSEMINATION.**

14 (a) GENERAL REQUESTS.—

15 (1) IN GENERAL.—The Statistics Center may
16 furnish transcripts or copies of tables and other sta-
17 tistical records and make special statistical compila-
18 tions and surveys for State and local officials, public
19 and private organizations, and individuals.

20 (2) COMPILATIONS.—The Statistics Center
21 shall provide State and local educational agencies
22 opportunities to suggest the development of par-
23 ticular compilations of statistics, surveys, and anal-
24 yses that would assist those educational agencies.



1 (b) CONGRESSIONAL REQUESTS.—The Statistics
2 Center shall furnish such special statistical compilations
3 and surveys as the relevant congressional committees may
4 request.

5 (c) JOINT STATISTICAL PROJECTS.—The Statistics
6 Center may engage in joint statistical projects related to
7 the mission of the Center, or other statistical purposes au-
8 thorized by law, with nonprofit organizations or agencies,
9 and the cost of such projects shall be shared equitably,
10 as determined by the Statistics Commissioner.

11 (d) FEES.—

12 (1) IN GENERAL.—Statistical compilations and
13 surveys under this section, other than those carried
14 out pursuant to subsections (b) and (c), may be
15 made subject to the payment of the actual or esti-
16 mated cost of such work.

17 (2) FUNDS RECEIVED.—All funds received in
18 payment for work or services described in this sub-
19 section may be used to pay directly the costs of such
20 work or services, to repay appropriations that ini-
21 tially bore all or part of such costs, or to refund ex-
22 cess sums when necessary.

23 (e) ACCESS.—

24 (1) OTHER AGENCIES.—The Statistics Center
25 shall, consistent with section 184, cooperate with



1 other Federal agencies having a need for educational
2 data in providing access to educational data received
3 by the Statistics Center.

4 (2) INTERESTED PARTIES.—The Statistics Cen-
5 ter shall, in accordance with such terms and condi-
6 tions as the Center may prescribe, provide all inter-
7 ested parties, including public and private agencies,
8 parents, and other individuals, direct access, in the
9 most appropriate form (including, where possible,
10 electronically), to data collected by the Statistics
11 Center for the purposes of research and acquiring
12 statistical information.

13 **SEC. 157. COOPERATIVE EDUCATION STATISTICS SYSTEMS.**

14 The Statistics Center may establish one or more na-
15 tional cooperative education statistics systems for the pur-
16 pose of producing and maintaining, with the cooperation
17 of the States, comparable and uniform information and
18 data on early childhood education, elementary and sec-
19 ondary education, postsecondary education, adult edu-
20 cation, and libraries, that are useful for policymaking at
21 the Federal, State, and local levels.

22 **SEC. 158. STATE DEFINED.**

23 In this part, the term “State” includes each of the
24 50 States, the District of Columbia, and the Common-
25 wealth of Puerto Rico.



1 **PART D—NATIONAL CENTER FOR**
2 **EDUCATION EVALUATION**

3 **SEC. 171. ESTABLISHMENT.**

4 (a) ESTABLISHMENT.—There is established in the
5 Academy a National Center for Education Evaluation (in
6 this part referred to as the “Evaluation Center”).

7 (b) MISSION.—The mission of the Evaluation Center
8 shall be to conduct evaluations of Federal education pro-
9 grams administered by the Secretary (and as time and re-
10 sources allow, other education programs) to determine the
11 impact of such programs, especially on student academic
12 achievement in the core academic areas of reading, math,
13 and science.

14 **SEC. 172. COMMISSIONER FOR EDUCATION EVALUATION.**

15 (a) IN GENERAL.—The Evaluation Center shall be
16 headed by a Commissioner for Education Evaluation (in
17 this part referred to as the “Evaluation Commissioner”)
18 who—

19 (1) shall possess a demonstrated capacity for
20 sustained productivity and leadership in education
21 evaluation, and be technically competent in con-
22 ducting scientifically valid education evaluations;

23 (2) shall oversee all evaluation activities of the
24 Evaluation Center, the development of evaluation
25 methodology, the reporting of findings of evaluations



1 to the public and appropriate congressional commit-
2 tees, and other duties essential to carrying out the
3 mission of the Evaluation Center; and

4 (3) shall be appointed for a term of 6 years.

5 (b) GRANTS, CONTRACTS, AND COOPERATIVE
6 AGREEMENTS.—In carrying out the duties under this
7 part, the Evaluation Center, through the Director, may
8 award grants, enter into contracts and cooperative agree-
9 ments, and provide technical assistance.

10 **SEC. 173. DUTIES.**

11 (a) GENERAL DUTIES.—

12 (1) IN GENERAL.—The Evaluation Center
13 shall—

14 (A) conduct evaluations consistent with the
15 Center's mission as described in section 171(b);

16 (B) evaluate programs under title I of the
17 Elementary and Secondary Education Act of
18 1965;

19 (C) coordinate the activities of the Evalua-
20 tion Center with other evaluation activities in
21 the Department;

22 (D) submit to the President and the ap-
23 propriate congressional committees a report on
24 the Evaluation Center's evaluation activities on
25 an annual basis; and



1 (E) examine and, where feasible, supple-
2 ment Federal education program evaluations,
3 particularly those by the Department, to deter-
4 mine the quality and relevance of the evidence
5 generated by those evaluations.

6 (2) ADDITIONAL REQUIREMENTS.—Each eval-
7 uation conducted by the Evaluation Center pursuant
8 to paragraph (1) shall adhere to the highest possible
9 standards of quality for conducting scientifically
10 valid education evaluation.

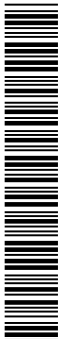
11 (b) ADMINISTRATION OF EVALUATIONS UNDER
12 TITLE I OF THE ELEMENTARY AND SECONDARY EDU-
13 CATION ACT OF 1965.—The Evaluation Center shall ad-
14 minister all operations and contracts associated with eval-
15 uations authorized by part E of title I of the Elementary
16 and Secondary Education Act of 1965 (20 U.S.C. 6491
17 et seq.) and administered by the Department of Education
18 as of the date of enactment of this title.

19 **PART E—GENERAL PROVISIONS**

20 **SEC. 181. DEFINITIONS.**

21 In this title:

22 (1) The terms “elementary school”, “secondary
23 school”, “local educational agency”, and “State edu-
24 cational agency” have the meanings given those



1 terms in section 9101 of the Elementary and Sec-
2 ondary Education Act of 1965 (20 U.S.C. 7801).

3 (2) The term “applied research” means
4 research—

5 (A) to gain knowledge or understanding
6 necessary for determining the means by which
7 a recognized and specific need may be met; and

8 (B) that is specifically directed to the dis-
9 covery of new knowledge that has as an objec-
10 tive the improvement of basic academic skills.

11 (3) The term “basic research” means
12 research—

13 (A) to gain fundamental knowledge or un-
14 derstanding of phenomena and observable facts,
15 without specific application toward processes or
16 products; and

17 (B) for the advancement of knowledge in
18 the field of education.

19 (4) The term “Academy” means the Academy
20 of Education Sciences.

21 (5) The term “Department” means the Depart-
22 ment of Education.

23 (6) The term “development” means the system-
24 atic use of knowledge or understanding gained from
25 the findings of scientifically valid research that may



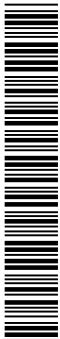
1 prove useful in areas (such as the preparation of
2 materials and new methods of instruction and prac-
3 tices in teaching), that may lead to the improvement
4 of the academic skills of students, and that are
5 replicable in different educational settings.

6 (7) The term “Director” means the Director of
7 the Academy of Education Sciences.

8 (8) The term “dissemination” means the com-
9 munication and transfer of the results of scientif-
10 ically valid research, statistics, and evaluations, in
11 forms that are understandable, easily accessible, and
12 usable, or adaptable for use in, the improvement of
13 educational practice by teachers, administrators, li-
14 brarians, other practitioners, researchers, policy-
15 makers, and the public, through the provision of
16 technical assistance, electronic transfer, and other
17 means.

18 (9) The term “field-initiated research” means
19 basic research or applied research in which specific
20 questions and methods of study are generated by in-
21 vestigators (including teachers and other practi-
22 tioners) and that conforms to standards of scientif-
23 ically valid research.

24 (10) The term “institution of higher education”
25 has the meaning given that term in section 101(a)



1 of the Higher Education Act of 1965 (20 U.S.C.
2 1001(a)).

3 (11) The term “scientifically based research
4 standards”—

5 (A) means the application of rigorous, sys-
6 temic, and objective procedures to obtain reli-
7 able and valid knowledge relevant to education
8 activities and programs; and

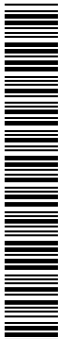
9 (B) includes research that—

10 (i) employs systematic, empirical
11 methods that draw on observation or ex-
12 periment;

13 (ii) involves rigorous data analyses
14 that are adequate to test the stated
15 hypotheses and justify the general conclu-
16 sions drawn;

17 (iii) relies on measurements or obser-
18 vational methods that provide valid data
19 across evaluators and observers, across
20 multiple measurements and observations,
21 and across studies by the same or different
22 investigators;

23 (iv) uses experimental or quasi-experi-
24 mental designs in which individuals, enti-
25 ties, programs, or activities are assigned to



1 different conditions with appropriate con-
2 trols to evaluate the effects of the condi-
3 tion of interest through random assign-
4 ment experiments or other designs (to the
5 extent such designs contain within-condi-
6 tion or across-condition controls);

7 (v) ensures experimental studies are
8 presented in sufficient detail and clarity to
9 allow for replication or, at a minimum, of-
10 fers the opportunity to build systematically
11 on the findings of the research; and

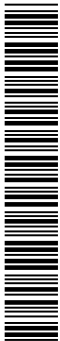
12 (vi) has been accepted by a peer-re-
13 viewed journal or has been approved by a
14 panel of independent experts through a
15 comparably rigorous, objective, and sci-
16 entific review.

17 (12) The term “scientifically valid education
18 evaluation”—

19 (A) means an evaluation that—

20 (i) adheres to the highest possible
21 standards of quality, with respect to re-
22 search design, statistical analysis, and the
23 dissemination of findings;

24 (ii) provides an adequate under-
25 standing of the programs being evaluated



1 and examines program implementation,
2 program impacts, and the relationships be-
3 tween these factors; and

4 (iii) provides impact and analysis of
5 the results achieved by the program; and

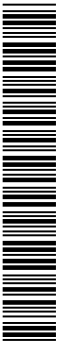
6 (B) includes only those evaluations that—

7 (i) use quantitative methodologies (in-
8 cluding experimental designs using random
9 assignment), and quasi-experimental meth-
10 odologies, of the highest quality;

11 (ii) when quantitative experimental
12 designs are not feasible in order to study
13 program impacts, use the strongest pos-
14 sible quasi-experimental alternative, basing
15 it on longitudinal data; and

16 (iii) in order to study program imple-
17 mentation, use a combination of qualitative
18 and quantitative methods.

19 (13) The term “scientifically valid research” in-
20 cludes applied research, basic research, and field-ini-
21 tiated research the rationale, design, and interpreta-
22 tion of which are soundly developed in accordance
23 with scientifically based research standards under
24 this title.



1 (14) The term “Secretary” means the Secretary
2 of Education.

3 (15) The term “State” includes (except as pro-
4 vided in section 158 in part C) each of the 50
5 States, the District of Columbia, the Commonwealth
6 of Puerto Rico, Guam, American Samoa, the Virgin
7 Islands, and the Commonwealth of the Northern
8 Mariana Islands.

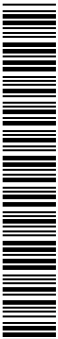
9 (16) The term “technical assistance” means—
10 (A) assistance in identifying, selecting, or
11 designing solutions (including professional de-
12 velopment and training to implement such solu-
13 tions) based on scientifically valid research,
14 leading to—

15 (i) improved educational practices and
16 classroom instruction; and

17 (ii) improved planning, design, and
18 administration of programs;

19 (B) assistance in interpreting, analyzing,
20 and utilizing statistics and evaluations; and

21 (C) other assistance necessary to encour-
22 age the adoption or application of scientifically
23 valid research.



1 **SEC. 182. INTERAGENCY DATA SOURCES AND FORMATS.**

2 The Secretary, in consultation with the Director,
3 shall ensure that the Department and the Academy use
4 common sources of data in standardized formats.

5 **SEC. 183. PROHIBITIONS.**

6 (a) NATIONAL DATABASE.—Nothing in this title may
7 be construed to authorize the development of a nationwide
8 database of individually identifiable information on indi-
9 viduals involved in studies or other collections of data
10 under this title.

11 (b) FEDERAL GOVERNMENT AND USE OF FEDERAL
12 FUNDS.—Nothing in this title may be construed to au-
13 thorize an officer or employee of the Federal Government
14 to mandate, direct, or control the curriculum, program of
15 instruction, or allocation of State or local resources of a
16 State, local educational agency, or school, or to mandate
17 a State, or any subdivision thereof, to spend any funds
18 or incur any costs not provided for under this title.

19 (c) ENDORSEMENT OF CURRICULUM.—Notwith-
20 standing any other provision of Federal law, no funds pro-
21 vided under this title to the Academy, including any office,
22 board, committee, or center of the Academy, may be used
23 by the Academy to endorse, approve, or sanction any cur-
24 riculum designed to be used in an elementary school or
25 secondary school.

26 (d) FEDERALLY SPONSORED TESTING.—

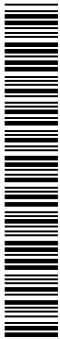


1 (1) IN GENERAL.—Subject to paragraph (2), no
2 funds provided under this title to the Secretary or
3 to the recipient of any award may be used to de-
4 velop, pilot test, field test, implement, administer, or
5 distribute any federally sponsored national test in
6 reading, mathematics, or any other subject, unless
7 specifically and explicitly authorized by law.

8 (2) EXCEPTIONS.—Subsection (a) shall not
9 apply to international comparative assessments de-
10 veloped under the authority of section 153(a)(5) or
11 section 404(a)(6) of the National Education Statis-
12 tics Act of 1994 (20 U.S.C. 9003(a)(6)) (as such
13 section existed on the day before the date of enact-
14 ment of this title) and administered to only a rep-
15 resentative sample of pupils in the United States
16 and in foreign nations.

17 **SEC. 184. CONFIDENTIALITY.**

18 (a) IN GENERAL.—All collection, maintenance, use,
19 and dissemination of data by the Academy, including each
20 office, board, committee, and center of the Academy, shall
21 conform with the requirements of section 552a of title 5,
22 United States Code, the confidentiality standards of sub-
23 section (c) of this section, and sections 444 and 445 of
24 the General Education Provisions Act (20 U.S.C. 1232g,
25 1232h).



1 (b) STUDENT INFORMATION.—The Director shall en-
2 sure that all individually identifiable information about
3 students, their academic achievements, and their families,
4 and information with respect to individual schools, re-
5 mains confidential in accordance with section 552a of title
6 5, United States, subsection (c) of this section, and sec-
7 tions 444 and 445 of the General Education Provisions
8 Act (20 U.S.C. 1232g, 1232h).

9 **SEC. 185. AVAILABILITY OF DATA.**

10 Subject to section 184, data collected by the Acad-
11 emy, including any office, board, committee, or center of
12 the Academy, in carrying out the priorities and mission
13 of the Academy shall be made available to the public, in-
14 cluding through use of the Internet.

15 **SEC. 186. PERFORMANCE MANAGEMENT.**

16 The Director shall ensure that all activities conducted
17 or supported by the Academy or a National Education
18 Center make customer service a priority. The Director
19 shall ensure a high level of customer satisfaction through
20 the following methods:

21 (1) Establishing and improving feedback mech-
22 anisms in order to anticipate customer needs.

23 (2) Disseminating information in a timely fash-
24 ion and in formats that are easily accessible and us-



1 able by researchers, practitioners, and the general
2 public.

3 (3) Utilizing the most modern technology and
4 other methods available, including arrangements to
5 use data collected electronically by States and local
6 educational agencies, to ensure the efficient collec-
7 tion and timely distribution of information, including
8 data and reports.

9 (4) Establishing and measuring performance
10 against a set of indicators for the quality of data
11 collected, analyzed, and reported.

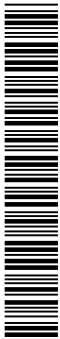
12 (5) Continuously improving management strate-
13 gies and practices.

14 (6) Making information available to the public
15 in an expeditious fashion.

16 **SEC. 187. AUTHORITY TO PUBLISH.**

17 (a) PUBLICATION.—

18 (1) IN GENERAL.—The Academy, including
19 each office, board, committee, and center of the
20 Academy, may prepare, publish, and present (includ-
21 ing through oral presentations) such research-based
22 information and research reports as needed to carry
23 out the priorities and mission of the Academy, irre-
24 spective of whether the Academy has obtained clear-
25 ance or approval for such preparation and publica-



1 tion by the Secretary or any other officer of the De-
2 partment.

3 (2) PROHIBITION OF REVIEW.—No report
4 issued by the Academy, including any office, board,
5 committee, or center within the Academy, shall be
6 subject to review by a Federal office or agency out-
7 side of the Academy.

8 (b) PEER REVIEW.—All published research, statis-
9 tics, and evaluations information and reports conducted
10 by or supported through the Academy, shall be subjected
11 to rigorous peer review before being published or otherwise
12 made available and shall include the names of the peer
13 reviewers.

14 (c) ADVANCE COPIES.—The Academy, including each
15 office, board, committee, and center of the Academy, shall
16 provide the Director and Secretary an advance copy of any
17 information to be published at least 30 days before the
18 publication.

19 **SEC. 188. VACANCIES.**

20 Any member appointed to fill a vacancy in any office,
21 board, committee, or center of the Academy occurring be-
22 fore the expiration of the term for which the member's
23 predecessor was appointed shall be appointed only for the
24 remainder of that term. A member may serve after the
25 expiration of that member's term until a successor has



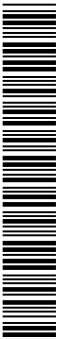
1 taken office. A vacancy in an office, board, committee, or
2 center of the Academy shall be filled in the manner in
3 which the original appointment was made. This section
4 does not apply to employees appointed under section 189.

5 **SEC. 189. STAFF.**

6 (a) STAFF.—Each official who is the head of the
7 Academy or any office, board, committee, or center of the
8 Academy may appoint and fix the pay of such staff as
9 that official determines to be necessary to carry out the
10 functions of the Academy or the office, board, committee,
11 or center, respectively, subject to subsection (b) and the
12 provisions of title 5, United States Code, governing ap-
13 pointments in the competitive service, and the provisions
14 of chapter 51 and subchapter III of chapter 53 of such
15 title relating to classification and General Schedule pay
16 rates.

17 (b) SCIENTIFIC OR TECHNICAL EMPLOYEES.—

18 (1) APPOINTMENT; PAY.—The Director may
19 appoint for limited periods of time and fix the pay
20 of certain scientific or technical employees to carry
21 out the functions of the Academy or the office,
22 board, committee, or center, respectively, without re-
23 gard to the provisions of title 5, United States Code,
24 governing appointments in the competitive service,
25 and the provisions of chapter 51 and subchapter III



1 of chapter 53 of such title relating to classification
2 and General Schedule pay rates.

3 (2) MAXIMUM NUMBER.—Employees appointed
4 under this subsection shall not exceed 20 percent of
5 the total employees of the Academy.

6 (3) MAXIMUM PAY RATE.—An employee ap-
7 pointed under this subsection may not be paid at a
8 rate that exceeds the rate of basic pay for level IV
9 of the Executive Schedule.

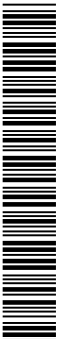
10 (4) TERMS.—An employee appointed under this
11 subsection may serve not longer than 6 years.

12 **SEC. 190. VOLUNTARY SERVICE.**

13 The Secretary, acting through the Director, may ac-
14 cept voluntary and uncompensated services to carry out
15 and support activities that are consistent with the prior-
16 ities and mission of the Academy.

17 **SEC. 191. RULEMAKING.**

18 Section 437(d) of the General Education Provisions
19 Act (20 U.S.C. 1232(d)) (limiting the application of the
20 exception for matters relating to public property, loans,
21 grants, and benefits under section 553(a)(2) of title 5,
22 United States Code) does not apply to regulations pre-
23 scribed by the Academy.



1 **SEC. 192. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated to carry out this title (other than sections 159 and
4 160) \$270,000,000 for fiscal year 2003 and such sums
5 as may be necessary for each of the 5 succeeding fiscal
6 years.

7 (b) NATIONAL ASSESSMENT OF EDUCATIONAL
8 PROGRESS.—There are authorized to be appropriated—

9 (1) for fiscal year 2003—

10 (A) \$4,598,000 to carry out section 159
11 (relating to the National Assessment Governing
12 Board); and

13 (B) \$90,825,000 to carry out section 160
14 (relating to the National Assessment of Edu-
15 cational Progress); and

16 (2) such sums as may be necessary for each of
17 the 5 succeeding fiscal years.

18 (c) AVAILABILITY.—Amounts made available under
19 this section shall remain available until expended.

20 **TITLE II—REGIONAL EDU-**
21 **CATIONAL TECHNICAL AS-**
22 **SISTANCE**

23 **SEC. 201. SHORT TITLE.**

24 This title may be cited as the “Regional Educational
25 Technical Assistance Act”.



1 **SEC. 202. TABLE OF CONTENTS.**

2 The table of contents for this title is as follows:

Sec. 201. Short title.
Sec. 202. Table of contents.
Sec. 203. Regional research and assistance.
Sec. 204. Regional governing boards.
Sec. 205. Regional plans.
Sec. 206. Technical assistance and dissemination.
Sec. 207. Authority and duties.
Sec. 208. Other powers and duties.
Sec. 209. Funding.
Sec. 210. Coordination.
Sec. 211. Annual evaluation.
Sec. 212. Authorization of appropriations.
Sec. 213. General provisions.

3 **SEC. 203. REGIONAL RESEARCH AND ASSISTANCE.**

4 The Secretary of Education (in this title referred to
5 as the “Secretary”) shall—

6 (1) establish, oversee, and coordinate a nation-
7 wide network of regional entities (which may include
8 State educational agencies or local educational agen-
9 cies and public or private nonprofit organizations or
10 institutions or consortia thereof) authorized to pro-
11 vide comprehensive applied research, development,
12 and technical assistance to States, local educational
13 agencies, schools, tribes, community-based organiza-
14 tions, and other appropriate entities in, at a
15 minimum—

16 (A) the core academic areas of reading,
17 math, and science; and

18 (B) education technology ; and



1 (2) in identifying the 10 regional areas of the
2 United States to be served, use the geographic re-
3 gions established under section 941(h)(2) of the
4 Education Research, Development, Dissemination,
5 and Improvement Act of 1994 (20 U.S.C.
6 6041(h)(2)).

7 **SEC. 204. REGIONAL GOVERNING BOARDS.**

8 Each regional entity established under section 203(1)
9 shall be governed by a board, to be known as a regional
10 governing board, which shall be established by the Gov-
11 ernors, in consultation with the chief school officers, in
12 the States in the region, and which shall include at least
13 one member from each State in the region. The member-
14 ship of such board shall include—

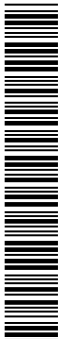
15 (1) parents;

16 (2) practicing educators (such as classroom
17 teachers, principals, and administrators), who shall
18 be selected jointly by the Governors and the chief
19 school officers in the States in the region; and

20 (3) policymakers and expert practitioners with
21 knowledge of, and experience using, the results of
22 research, evaluation, and statistics.

23 **SEC. 205. REGIONAL PLANS.**

24 Each regional entity shall—



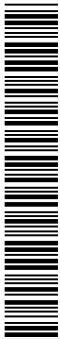
1 (1) develop a plan for identifying and serving
2 the needs of all States within the region by con-
3 ducting a survey of the educational needs, strengths,
4 and weaknesses within the region, including through
5 a process of open hearings to solicit the views and
6 needs of public and private schools, public charter
7 schools, teachers, administrators, parents, local edu-
8 cational agencies, librarians, businesses, State edu-
9 cational agencies, and other customers within the re-
10 gion;

11 (2) transmit the plan developed under para-
12 graph (1) to the Secretary, the Director of the Acad-
13 emy of Education Sciences, and the National Board
14 for Education Sciences, to assist in making decisions
15 regarding the national priorities within education re-
16 search (as described in section 116 of the Education
17 Sciences Reform Act of 2002);

18 (3) ensure that the activities supported by the
19 entity shall maintain the highest levels of quality;

20 (4) in consultation with the Secretary, guide
21 and direct recipients of awards under section 206 in
22 satisfying the terms and conditions of their awards;

23 (5) ensure that each recipient of an award
24 under section 206 has effective governance, organi-
25 zation, management, and administration (including



1 sound financial and fiscal practices) and employs
2 highly qualified staff; and

3 (6) ensure that each recipient of an award
4 under section 206 carries out its duties in a manner
5 consistent with section 203(1).

6 **SEC. 206. TECHNICAL ASSISTANCE AND DISSEMINATION.**

7 Based on the plan required under section 205, each
8 regional entity shall award competitive contracts to carry
9 out comprehensive technical assistance and dissemination.
10 Such contracts shall provide for the following:

11 (1) Training and technical assistance to State
12 educational agencies, local educational agencies, pub-
13 lic and private schools, public charter schools, tribes,
14 community-based organizations, and other appro-
15 priate entities, that are consistent with—

16 (A) the administration and implementation
17 of programs under the Elementary and Sec-
18 ondary Education Act of 1965 (20 U.S.C. 6301
19 et seq.); and

20 (B) scientifically valid research on teaching
21 methods and assessment tools for use by teach-
22 ers and administrators in, at a minimum—

23 (i) the core academic areas of mathe-
24 matics, science, and reading; and

25 (ii) education technology.



1 (2) The dissemination of scientifically valid re-
2 search, information, products, and publications to—

3 (A) schools, educators, parents, and policy-
4 makers within the applicable region in which
5 the entity is located; and

6 (B) the Knowledge Utilization Office.

7 (3) The provision of education products based
8 on scientifically valid research in a form usable—

9 (A) to promote school improvement and
10 academic achievement; and

11 (B) to narrow achievement gaps.

12 **SEC. 207. AUTHORITY AND DUTIES.**

13 (a) CONTRACTS AND COOPERATIVE AGREEMENTS.—

14 In awarding competitive contracts under section 206, each
15 regional entity may enter into contracts with organizations
16 or institutions (whether private or public, for-profit or
17 nonprofit), State educational agencies, local educational
18 agencies, or institutions of higher education (or consortia
19 of such entities), or individuals, with the demonstrated
20 ability or capacity to carry out technical assistance or
21 demonstration activities, which may include entities that
22 carried out activities (before the date of enactment of this
23 title) under any of the following provisions of law (or their
24 predecessor provisions):



1 (1) Part K of the Educational Research, Devel-
2 opment, Dissemination, and Improvement Act of
3 1994 (title IX of the Goals 2000: Educate America
4 Act) (20 U.S.C. 6053 et seq.) relating to Com-
5 prehensive Regional Assistance Centers (as such
6 part existed on the day before the date of enactment
7 of this title).

8 (2) Part M of such Act (20 U.S.C. 6055 et
9 seq.) relating to the Eisenhower Regional Mathe-
10 matics and Science Education Consortia (as such
11 part existed on the day before the date of enactment
12 of this title).

13 (3) Part N of such Act (20 U.S.C. 6053 et
14 seq.) relating to Technology-Based Technical Assist-
15 ance (as such part existed on the day before the date
16 of enactment of this title).

17 (4) Section 931(c)(1)(B) of such Act (20
18 U.S.C. 6031(c)(1)(B)) (relating to national research
19 and development institutes).

20 (5) Section 941(h) of such Act (20 U.S.C.
21 6041(h)) (relating to regional educational labora-
22 tories for research, development, dissemination, and
23 technical assistance).

24 (b) OBJECTIVES AND INDICATORS.—Before each re-
25 gional entity awards contracts under section 206, each re-



1 gional governing board shall design specific objectives and
2 measurable indicators—

3 (1) to assess the contractors;

4 (2) to ensure that the needs of the region are
5 being met; and

6 (3) to ensure that the standards of scientifically
7 valid research are being used in activities that are
8 consistent with the plan under section 205(1).

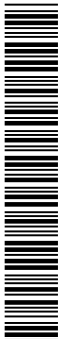
9 (c) PRIORITY ENTITIES.—In awarding competitive
10 contracts under section 206, each regional entity shall give
11 priority to applicants that propose to serve—

12 (1) schools with high percentages or numbers of
13 students from low-income families, as determined
14 under section 1113(a)(5) of the Elementary and
15 Secondary Education Act of 1965 (20 U.S.C.
16 6313(a)(5)), including such schools in rural and
17 urban areas; and

18 (2) local educational agencies in which a high
19 percentage or number of school-age children are
20 from low-income families, as determined under sec-
21 tion 1124(c)(1)(A) of the Elementary and Secondary
22 Education Act of 1965 (20 U.S.C. 6333(c)(1)(A)),
23 including such agencies in rural and urban areas.

24 **SEC. 208. OTHER POWERS AND DUTIES.**

25 Each regional governing board—



1 (1) shall ensure its activities meet the high
2 standards of quality and the needs of the applicable
3 region;

4 (2) shall ensure the services and activities are
5 provided using the highest quality and most cost-ef-
6 fective strategies possible; and

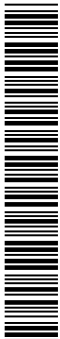
7 (3) shall ensure that recipients of the awards
8 coordinate their activities.

9 **SEC. 209. FUNDING.**

10 (a) IN GENERAL.—

11 (1) From funds made available under section
12 212 for each fiscal year, the Secretary shall provide
13 to each regional entity that submits an application
14 under subsection (b), an amount comparable to the
15 level of funding received by such region (or similar
16 region), under prior regional assistance programs
17 (as described under section 207(a)(1)), of which not
18 more than 2 percent may be used for administrative
19 purposes.

20 (2) The Secretary, in consultation with the Di-
21 rector of the Academy of Education Sciences and
22 the National Board for Education Sciences, may al-
23 locate any funds in excess of funds appropriated in
24 fiscal year 2001 to regions based on the needs of



1 such regions as described in the regional plans devel-
2 oped under section 205(1).

3 (b) APPLICATION.—Each regional entity seeking
4 funds under this part shall submit to the Secretary for
5 approval an application, which shall contain—

6 (1) a description of how the regional entity will
7 carry out the activities in accordance with this part;

8 (2) an assurance that the regional entity will
9 give priority in awarding contracts to entities pro-
10 viding services to the schools and local educational
11 agencies described in section 207(c); and

12 (3) such additional information as the Secretary
13 may reasonably require.

14 **SEC. 210. COORDINATION.**

15 In order to assure coordination and prevent unneces-
16 sary duplication of activities among the regions, the Sec-
17 retary shall—

18 (1) share information about the activities of
19 each region with each other region and with the Di-
20 rector of the Academy of Education Sciences and
21 the National Board for Education Sciences;

22 (2) create a strategic plan for the development
23 of activities undertaken by the each regional entity
24 to increase collaboration and resource-sharing in
25 such activities; and



1 (3) where appropriate, employ methods through
2 which the activities undertaken by each of the re-
3 gional entities also serves national interests.

4 **SEC. 211. ANNUAL EVALUATION.**

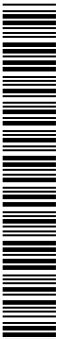
5 The Secretary shall provide for an annual inde-
6 pendent evaluation of the regions in carrying out this part,
7 the results of which shall be transmitted to the National
8 Board for Education Sciences and the appropriate con-
9 gressional committees. The evaluation shall include an
10 analysis of the services provided under this part, the ex-
11 tent to which the regional entities have met the objectives
12 of the plans submitted under section 205(1), and whether
13 such services have met the needs of local educational agen-
14 cies and schools in the region, including those local edu-
15 cational agencies and schools described in section 207(c).

16 **SEC. 212. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated to carry out
18 this title \$67,500,000 for fiscal year 2003 and such sums
19 as may be necessary for each of the 5 succeeding fiscal
20 years.

21 **SEC. 213. GENERAL PROVISIONS.**

22 Part E of the Education Sciences Reform Act of
23 2002 applies to this title, as appropriate, except that any
24 responsibilities assigned solely to the Director of the Acad-



1 emy of Education Sciences shall be the responsibility of
2 the Secretary.

3 **TITLE III—AMENDATORY** 4 **PROVISIONS**

5 **SEC. 301. REDESIGNATIONS.**

6 (a) CONFIDENTIALITY.—Section 408 of the National
7 Education Statistics Act of 1994 (20 U.S.C. 9007) is
8 amended—

9 (1) by striking “Center” each place such term
10 appears and inserting “Director”;

11 (2) in subsection (a)(2)(A), by striking “statistical
12 purpose” and inserting “research, statistics, or
13 evaluation purpose under this title”;

14 (3) in paragraphs (2) and (6) of subsection (b),
15 by striking “(a)(2)” each place such term appears
16 and inserting “(c)(2)”;

17 (4) so that paragraph (1) of subsection (b)
18 reads as follows:

19 “(1) IN GENERAL.—

20 “(A) DISCLOSURE.—No Federal depart-
21 ment, bureau, agency, officer, or employee may,
22 for any reason, require the Director, any Com-
23 missioner of a National Education Center, or
24 any other employee of the Academy to disclose



1 individually identifiable information that has
2 been collected or retained under this title.

3 “(B) IMMUNITY.—Individually identifiable
4 information collected or retained under this title
5 shall be immune from legal process and shall
6 not, without the consent of the individual con-
7 cerned, be admitted as evidence or used for any
8 purpose in any action, suit, or other judicial or
9 administrative proceeding.

10 “(C) APPLICATION.—This paragraph does
11 not apply to requests for individually identifi-
12 able information submitted by or on behalf of
13 the individual identified in the information.”;

14 (5) by transferring and redesignating sub-
15 sections (a) and (b) as subsections (c) and (d) of
16 section 184 of this Act; and

17 (6) by striking the section heading.

18 (b) NATIONAL ASSESSMENT GOVERNING BOARD.—
19 Section 412 of the National Education Statistics Act of
20 1994 (20 U.S.C. 9011) is transferred and redesignated
21 as section 159 of this Act.

22 (c) NATIONAL ASSESSMENT OF EDUCATIONAL
23 PROGRESS.—Section 411 of the National Education Sta-
24 tistics Act of 1994 (20 U.S.C. 9010) is transferred and
25 redesignated as section 160 of this Act.



1 (d) CONTINUATION OF AWARDS.—Part J of the Edu-
2 cational Research, Development, Dissemination, and Im-
3 provement Act of 1994 (title IX of the Goals 2000: Edu-
4 cate America Act) (20 U.S.C. 6052) is amended—

5 (1) in the heading of section 995, by inserting
6 **“OF CERTAIN MULTIYEAR GRANTS AND CON-**
7 **TRACTS”** before the period at the end;

8 (2) by transferring and redesignating section
9 995 as section 193 of this Act; and

10 (3) by striking the part heading.

11 (e) CLERICAL AMENDMENTS.—The table of contents
12 in section 101 is amended—

13 (1) by inserting after the item related to section
14 158 the following new items:

“Sec. 159. National Assessment Governing Board.

“Sec. 160. National Assessment of Educational Progress.”; and

15 (2) by inserting after the item relating to sec-
16 tion 192 the following new item:

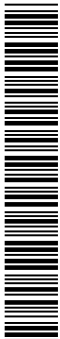
“Sec. 193. Continuation of awards for certain multiyear grants and contracts.”.

17 **SEC. 302. REPEALS.**

18 The following provisions of law are repealed:

19 (1) The National Education Statistics Act of
20 1994 (title IV of the Improving America’s Schools
21 Act of 1994; 20 U.S.C. 9001 et seq.).

22 (2) Parts A through E and K through N of the
23 Educational Research, Development, Dissemination,



1 and Improvement Act of 1994 (title IX of the Goals
2 2000: Educate America Act) (20 U.S.C. 6051 et
3 seq.).

4 (3) Paragraph (4) of section 202(b), section
5 208, and paragraph (2) of section 401(b) of the De-
6 partment of Education Organization Act (20 U.S.C.
7 3412(b)(4), 3419, 3461(b)(2)).

8 **SEC. 303. CONFORMING AND TECHNICAL AMENDMENTS.**

9 (a) GOALS 2000: EDUCATE AMERICA ACT.—The
10 table of contents in section 1(b) of the Goals 2000: Edu-
11 cate America Act (20 U.S.C. 5801 note) is amended by
12 striking the items relating to parts A through E of title
13 IX (including the items relating to sections within those
14 parts).

15 (b) DEPARTMENT OF EDUCATION ORGANIZATION
16 ACT.—The table of contents in section 1 of the Depart-
17 ment of Education Organization Act (20 U.S.C. 3401
18 note) is amended by striking the item relating to section
19 208.

20 (c) TITLE 5, UNITED STATES CODE.—Title 5,
21 United States Code, is amended—

22 (1) in section 5314, by inserting a period after
23 “Under Secretary of Education”; and

24 (2) in section 5315, by striking the following:



1 “Commissioner, National Center for Education Sta-
2 tistics.”.

3 (d) GENERAL EDUCATION PROVISIONS ACT.—Sec-
4 tion 447 of the General Education Provisions Act (20
5 U.S.C. 1232j) is amended by striking “404(a)(6) of the
6 National Education Statistics Act of 1994 (20 U.S.C.
7 9003(a)(6))” and inserting “section 153(a)(5) of the Edu-
8 cation Sciences Reform Act of 2002”.

9 (e) ELEMENTARY AND SECONDARY EDUCATION ACT
10 OF 1965.—The Elementary and Secondary Education Act
11 of 1965 (20 U.S.C. 6301 et seq.) is amended—

12 (1) in section 1111(c)(2), by striking “section
13 411(b)(2) of the National Education Statistics Act
14 of 1994” and inserting “section 160(b)(2) of the
15 Education Sciences Reform Act of 2002”;

16 (2) in section 1112(b)(1)(F), by striking “sec-
17 tion 411(b)(2) of the National Education Statistics
18 Act of 1994” and inserting “section 160(b)(2) of the
19 Education Sciences Reform Act of 2002”;

20 (3) in section 1501(a)(3), by striking “section
21 411 of the National Education Statistics Act of
22 1994” and inserting “section 160 of the Education
23 Sciences Reform Act of 2002”;

24 (4) in section 1117(a)(3), by inserting “(as
25 such section existed on the day before the date of



1 enactment of the Education Sciences Reform Act of
2 2002)” after “Act of 1994”; and

3 (5) in section 9529(b), by striking “section
4 404(a)(6) of the National Education Statistics Act”
5 and inserting “section 153(a)(5) of the Education
6 Sciences Reform Act of 2002”.

7 (f) SCHOOL-TO-WORK OPPORTUNITIES ACT OF
8 1994.—Section 404 of the School-to-Work Opportunities
9 Act of 1994 (20 U.S.C. 6194) is amended by inserting
10 “(as such Act existed on the day before the date of enact-
11 ment of the Education Sciences Reform Act of 2002)”
12 after “Act of 1994”.

13 **SEC. 304. EFFECTIVE DATE.**

14 This Act and the amendments made by this Act shall
15 take effect on October 1, 2002.

